

Sprint will not repeat those arguments, but will place this issue in context of Verizon's pattern of conduct relative to this 271 proceeding.

This is yet another example of Verizon's competition-stifling conduct when confronted with a competitor seeking to resell telecommunications services that Verizon admittedly sells to its end users. Let us examine Verizon's responses to interrogatories, and the record in this case:

Verizon in interrogatory answers stated that it refuses to resell vertical services because such services are "provided in connection with the Verizon dial tone line from one of Verizon PA's central offices."⁸⁵ However, Verizon does not claim that resale of vertical features is technically infeasible or that dial tone *by the same carrier* is required for use of vertical features. For example, Verizon itself provides call forwarding, for example, to enhanced service providers and Commercial Mobile Radio Service (CMRS) providers when the end user is a Verizon local service customer.⁸⁶

Verizon in another interrogatory response admitted that it was "currently examining offering a 'single number' feature as part of a marketing trial."⁸⁷ This feature can support a retail service whereby when a single telephone number is dialed, up to three other numbers will ring simultaneously.⁸⁸ Clearly, regardless of the actual technology employed, Verizon's end user would receive at retail a convenient customer calling feature which will be unavailable to a CLEC customer as long as Verizon continues to deny CLECs the ability to resell vertical features. There is no justification for Verizon's refusal to unreasonably limit the customers' ability to seek such vertical

⁸⁵ Sprint Exhibit 3, Response of Verizon to Sprint set III, No. 37.

⁸⁶ Sprint Exhibit 3, Response of Verizon to Sprint set III, Nos. 55 and 56.

⁸⁷ Sprint Exhibit 3, Response of Verizon to Sprint set III, No. 38.

⁸⁸ Id.

features from any other carrier – at competitive rates and competitive terms and conditions. Sprint seeks this opportunity, and Verizon’s conduct makes clear that it has no intention of modifying its conduct and honoring its resale obligations under Checklist Item 14.

Verizon’s interrogatory responses also reveal. Verizon sells vertical features to end users. According to the *FCC’s Local Competition First Report and Order*, “[i]f a service is sold to end users, it is a retail service . . .”⁸⁹ Clearly, Verizon offers vertical features to its end users.

Verizon’s claim that such services are only offered in connection with dial tone service is belied by the facts. Verizon’s use of the “the dial tone line defense” to somehow excuse itself from its obligations under Checklist Item 14 is only available to Verizon due to its historic presence as the RBOC. Ironically, Verizon relies upon a self-inflicted (and untrue) tie-in to the dial tone line in order to justify the continuation of a monopoly strong-hold relative to the competitive availability of vertical features on a stand-alone basis.

Similar to Verizon’s refusal to provide reciprocal compensation for local calls made via use of “00-minus” dialing, Verizon’s refusal to provide stand-alone vertical features is based upon Verizon’s ability to “cross its arms and set its jaw” and thereby deny the competitor of the ability to go forward on its business plans. That ability arises solely from its monopoly position. Thus, as it able to refuse to recognize local calls made to an operator services platform as subject to reciprocal compensation, it is able

⁸⁹ *FCC Local Competition First Report and Order*, ¶ 871.

to rely upon the “dial tone line defense” to refuse to sell vertical features on a stand-alone basis.

At a time when consumers are hungry for services that enhance their communications options, Verizon’s clear pattern of conduct must have a consequence: The denial of 271 approval at this time. Verizon has not satisfied Checklist Item 14 because it has place unreasonable restrictions on resale of its telecommunications services.⁹⁰

ii) Pricing issues

No comment.

iii) Short summary cross-reference to related OSS and metrics issues

No comment.

C. METRICS, OSS, AND PERFORMANCE ASSURANCE PLAN

i) SPECIFIC DEFICIENCIES AND RECOMMENDATIONS

ii) SPECIFIC COMMISSION ISSUES

- a) Is OSS deployed and ready?
- b) Is the Change Management process adequate?
- c) are OSS Performance Measures, Standards, and Remedies accurate and informative?
- d) Are there sufficient incentives to assure post-entry compliance?
- e) Is commercial Operation Data accurate and informative?
- f) Does Commercial Operation Data support Verizon’s claim regarding non-discriminatory access and adherence to PMO measures and standards?

No comment to the above-identified issues.

⁹⁰ Sprint Comments at 35–50, (February 12, 2001).

D. OTHER RELEVANT ISSUES

i) EFFECT OF PENDING LITIGATION AND APPEALS

Pending Appeals

Sprint had timely filed an Petition for Review with the Commonwealth Court of certain issues addressed in Global Order. Sprint has not sought any additional appellate action regarding the Global Order since the Commonwealth Court's opinion and order affirming *in toto* the Commission's determinations in the Global Order. Sprint has not sought any appellate action concerning the Commission's Performance Measurements Order ("PMO Order").

Sprint takes no position and makes no comment as to the impact, if any, that any pending appeals may have upon the Commission's disposition of Verizon's 271 application.

Pending Litigation

There are at least three (3) cases currently pending before the Commission which have an impact upon the 271 proceeding. First, at Docket No. R-00994697 and R-000994697C0001, Judge Chestnut recently issued a Recommended Decision addressing various collocation issues. Sprint and other parties have filed Exceptions and Reply Exceptions. The case awaits final disposition by the Commission. Second, at Docket No. R-00005261, *et al.*, Judge Cocheres recently issued a Recommended Decision regarding the development of rates, terms and conditions for certain UNEs. Finally, on April 11, 2001, the Commission entered an Opinion and Order at Docket No. M-00001353 regarding structural separation of Verizon.

Each pending proceeding will be addressed below. As an initial matter, however, Sprint notes that the “common thread” exists between these three cases and the instant Verizon 271 Application: In Pennsylvania, the local market is not open and many additional regulatory measures and proceedings to foster competition remain incomplete.

For example, in the Structural Separation Opinion and Order, the Commission directed that a proceeding be convened to determine whether any further adjustment of UNE rates is necessary beyond the \$0.75 reduction in 2-wire loop rates in Density Cell 4.⁹¹ The report and recommendation to the Commission for decision is due no later than December 31, 2001, but no additional UNE rate reductions are required of Verizon at all. Sprint submits that such a proceeding should be completed first and additional UNE reductions in place before the Commission can give due consideration of a 271 application. Similarly, in the Structural Separation Opinion and Order, the Commission imposed several additional requirements upon Verizon, including the establishment of technical workshops for developing an industry standard so that CLECs can have access to DSLAM equipment in remote terminals. If there remains lack of agreement, then the matter will be presented to the Commission for resolution.⁹² The workshops are designed to convene within 60 days of the entry of the Commission’s Order, but no absolute end date was imposed for final resolution by the Commission. Therefore, if the

⁹¹ Opinion and Order, Docket No. M-00001353, at 40.

⁹² Opinion and Order, Docket No. M-00001353, at 36.

Commission were to recommend granting Verizon 271 approval in Pennsylvania, this important market-opening measure may not be completed or proven to be effective until long after Verizon files its application before the FCC regarding Pennsylvania.

Clearly there is much to be done prior to 271 approval.

Collocation Proceeding
Docket Nos. R-00994697 and R-000994697C0001

As noted above, there has been no final, non-appealable order entered in this proceeding. Similarly, while a partial settlement has been approved by the Commission in this proceeding, the issue of whether the settlement, in conjunction with the Commission's determination on the unresolved issues, will prove to be effective in fostering competition remains to be seen. It also remains to be seen if Verizon elects to interpret the requirements of the settlement or the Commission's order in a restrictive, competition-hindering manner.

UNE proceeding
Docket No. R-00005261, et al.

The FCC has held that, for purposes of demonstrating compliance with the competitive checklist, a BOC such as Verizon, must demonstrate that it is currently in compliance with rules **in effect on the date of filing of its Section 271 application with the FCC.**⁹³ Thus, in order to meet the requirements of section 271 for

⁹³ *Memorandum Opinion and Order, Application of SBC Communications, Inc., Southwestern Bell Telephone Company, and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance*, CC Docket No. 00-65, ¶ 28-29 (June 30, 2000).

Pennsylvania, Verizon must be compliant with relevant Orders issued by the FCC, including the UNE Remand Order.⁹⁴

The UNE proceeding clearly demonstrates that Verizon is not in compliance with the FCC's UNE Remand Order. For example, Verizon has not unbundled dark fiber on a non-discriminatory basis and has not made sub-loop unbundling available on a non-discriminatory basis. Indeed, in that proceeding, Verizon steadfastly opposed setting forth its alleged unbundling of dark fiber and subloops in Commission-approved, publicly available tariffs, thereby forcing CLECs to negotiate with Verizon regarding access to these elements. Given Verizon's litigation strategy in the UNE proceeding, it is not surprising that additional measures are now necessary to bring Verizon into compliance with the UNE Remand Order and this Commission's Global Order. For example, the Recommended Decision in that proceeding requires that Verizon undertake the following additional measures:

- Within 30 days of the entry of a Commission order in the UNE proceeding, the Commission shall "coordinate and complete a technical workshop" on "agreeing to revisions to the MFS Phase III cost study" to produce a reasonable rate for conditioning copper loops in excess of 18,000 feet and the installation of ISDN electronics.
- An expedited proceeding to investigate the reasonableness and justness of Verizon's tariff supplements to be filed consistent with the Recommended Decision.

⁹⁴ *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, 15 FCC Rcd at 3696 (1999) (UNE Remand Order).

- Within 60 days of the entry of a forthcoming Commission Order in the case, the Commission staff will coordinate and complete a technical workshop on the subject of agreeing to reasonable splice points beyond hard termination points in dark fiber.
- Within 90 days of the entry of forthcoming Commission Order in the case, Verizon is to make LFACS (Loop Facilities Assignment and Control System) database available to all CLECs through the OSS interface.

There is no conceivable way that these new requirements – even if deemed final and non-appealable – can be implemented prior to Verizon’s planned filing of its 271 application at the FCC in 60 days. Indeed, the record in this case will be marked closed only upon receipt of supplemental tariffs by Verizon in compliance with the Commission’s forthcoming final order and the completion of the technical workshops.⁹⁵ Moreover, even if the Recommended Decision is approved so as to order Verizon to provide UNEs consistent with the law, there is no guarantee that Verizon will chose to interpret and apply such a requirement in a manner that is consistent with law – a scenario very likely given the evidentiary record in the UNE rate proceeding. The net result is that Verizon could have 271 authority in hand and still not be providing non-discriminatory access to UNEs. Clearly, such *de facto* compliance with a checklist item, in this case Checklist Item 2, was never authorized or envisioned under the Act.

As the ALJ in the UNE proceeding found when he granted summary judgment, Verizon has made no attempt to comply with the Global Order and has blatantly chosen to ignore federal requirements – e.g., non-discriminatory access to dark fiber and sub-

⁹⁵ Id., at Ordering Paragraph 11.

loop unbundling.⁹⁶ The Commission has not issued an Opinion and Order in the pending UNE proceeding. There are no assurances the case will result in a non-appealable order prior to Verizon's filing at the FCC for 271 approval. Certainly, there is no assurance that Verizon will make such UNEs available on an unbundled, nondiscriminatory basis prior to filing its 271 request with the FCC for Pennsylvania.

The record in the UNE proceeding clearly demonstrates Verizon's disregard for binding requirements. Verizon must first be in compliance with all FCC and state requirements before this Commission gives a favorable recommendation to the FCC. Verizon was given ample opportunity to comply with the Commission's Global Order and with the FCC's UNE Remand Order. Verizon demonstrated in the UNE case that it cannot be relied upon to follow binding requirements prior to 271 review, then certainly any failure by the Commission to follow the proper sequencing will violate the Act and will ensure that Pennsylvania consumers do not get sustainable competition in the local market.

Structural Separation
Docket No. M-00001353

The Structural Separation Opinion and Order is a proverbial win-win for Verizon and a lose-lose for CLECs. It is a win-win for Verizon because it avoids a wholesale/retail form structural separation and nothing in the Order precludes Verizon from 271 approval until assurance of Verizon's compliance with the Act and these new requirements is first had and obtained. Rather, a litany of future commitments are merely pushed into new proceedings and collaboratives. As for the CLECs, it is a lose-lose situation because nothing was done to cease Verizon's discriminatory conduct and,

⁹⁶ Recommended Decision of Louis G. Cocheres at 6-8.

once Verizon gains 271 authority, there will be no real means to garner any cooperation from Verizon absent considerable Commission intervention.

Specifically, the Commission's April 11, 2001 Order imposes numerous requirements, some of which are highlighted as follows:

- Verizon must functionally separate its wholesale and retail units through the applications of a yet-to-be-developed Code of Conduct.
- The Code of Conduct is to be developed in a re-opened "Competitive Safeguards Rulemaking record."
- A technical trial of electronic loop provisioning is to occur, but the results of the same are subject to a period for comments and reply comments.
- The creation of a collaborative for the deployment of fiber and NGDLC and equal access to DSL over fiber. The results of the collaborative shall be submitted – but not ruled upon – by the Commission no later than September 30, 2001. The Commission did not require Verizon to unbundle DSL components.
- The creation of a line splitting collaborative. The results of this initiative are to be filed with the Commission and subject to a period for comment and reply comment. However, no specific deadlines were imposed and no requirement was placed upon Verizon to make line splitting available by a date certain.
- The institution of a "proceeding" to determine if any adjustments of performance measures penalties may be necessary over and above the

Tier II liquidated damages penalty increases required in Ordering Paragraph 15 of the Structural Separation Opinion and Order.

- The institution of a “proceeding” to determine whether any further adjustment of UNE rates is necessary over and above the \$.075 reduction in 2-wire loop rates in Density Cell 4.

The remedies to correct Verizon’s non-discriminatory practices as initially determined in the Global Order were thereby modified; the problem of Verizon’s non-discriminatory practices was not. Clearly, these additional measures to address that problem can not be implemented prior to Verizon’s filing for 271 approval at the FCC.

It is Sprint’s position that compliance with the Global Order is required before Verizon can seek 271 authority in Pennsylvania. Certainly, the Commission is within its authority to impose additional legal requirements upon Verizon when – as the case exists here – Verizon’s conduct has required additional regulatory action. These new requirements are designed to ensure that the local telecommunications market is fully and irreversibly open to competition. If Verizon was required to comply with the Global Order in order to obtain 271 approval, and if the Commission modifies certain market-opening conditions, then Verizon must comply with these additional legal requirements prior to obtaining 271 approval.

ii) COMPLIANCE WITH COMMISSION ORDERS

As addressed above, and in Sprint’s February 12, 2001 Comments,⁹⁷ Verizon’s non-compliance with the Commission’s prior orders, most notably the Global Order, has already been addressed.

⁹⁷ Sprint Comments at 4-5, (February 12, 2001).

iii) VERIZON'S DISSEMINATION OF INFORMATION AND ASSISTANCE TO THE INDUSTRY

Sprint's experience with Verizon's non-willingness to disseminate information in a meaningful and efficient manner can be evidenced from Verizon's Collocation Remote Terminal Equipment Enclosure Application ("CRTEE"). The CRTEE is required to be completed if a CLEC seeks to collocate a DSLAM, for example, at Verizon's remote terminals.

In order to complete the CRTEE, the CLEC must provide the specific street address or other identification of the location associated with the remote terminal at which the CLEC seeks to collocate.⁹⁸ The information sought in the CRTEE application is effectively the Common Language Location Identifier ("CLLI ") code identifier for each remote terminal that has been routinely employed in the industry.⁹⁹

Verizon, however, does not provide CLECs with the specific street address or other identifier such as the CLLI codes of remote terminals that subtend Verizon's central offices.¹⁰⁰ There is no readily available method by which CLECs can obtain this type of information so as to complete the application.¹⁰¹

The fundamental problem is that Verizon does not make information readily available to the industry as where their remote terminals are located. Currently, customers that live behind the remote terminal (i.e. the DLC), whose phone services are served by DLCs, cannot get competitive DSL service unless collocation occurs at the remote terminal. As noted by Sprint witness Rebecca Thompson, there can be as many

⁹⁸ Sprint Exhibit 1, Verizon application page 1.

⁹⁹ Tr. at 194 (March 2, 2001), lines 18-21.

¹⁰⁰ Tr. 189 (March 2, 2001), lines 7-8.

¹⁰¹ Tr. 195 (March 2, 2001), lines 13-15, and Tr. 193 (March 2, 2001), lines 21-15.

as 10 to 20 remote terminals for each central office¹⁰² and remote terminals are not always above-ground.¹⁰³ However, Verizon has this type of information available to it, albeit not as an assembled database.¹⁰⁴

In Sprint's view there are two pieces to this problem. First, the CRTEE application is unreasonable and imposes unnecessary burdens on CLECs. It should be modified so that any requesting CLEC can complete the CRTEE without having to provide information that is only available to Verizon or information that would require unreasonable effort on the part of the CLEC. Second, from a more substantive standpoint, the issue regards Verizon's willingness – or lack thereof – in making information available in order for the CLEC to make a sound business decision concerning collocation at Verizon's remote terminals.

iv) OTHER RELEVANT ISSUES

No comment.

¹⁰² Tr. at 192 (March 2, 2001), lines 3-4.

¹⁰³ Tr. at 22 (March 2, 2001), lines 18-20.

¹⁰⁴ Tr. at 197, (March 2, 2001), lines 13-21.

CONCLUSION

WHEREFORE, Sprint Communications Company, L.P. and The United Telephone Company of Pennsylvania respectfully request that the Commission should not, at this time, endorse Verizon's entry into the in-region, interLATA market in Pennsylvania for the reasons set forth above and in Sprint's Comments submitted on February 12, 2001.

Respectfully submitted,

SPRINT COMMUNICATIONS COMPANY L.P.
AND UNITED TELEPHONE COMPANY OF
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Dated: April 18, 2001

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CONSULTATIVE REPORT ON	:	
APPLICATION OF VERIZON	:	
PENNSYLVANIA INC., FOR FCC	:	DOCKET NO. M-00001435
AUTHORIZATION TO PROVIDE IN-	:	
REGION, INTERLATA SERVICE IN	:	
PENNSYLVANIA	:	

AFFIDAVIT OF DR. DAVID T. REARDEN

**ON BEHALF OF
THE UNITED TELEPHONE COMPANY OF PENNSYLVANIA AND SPRINT
COMMUNICATIONS COMPANY, L.P.**

1. My name is David T. Rearden, I am a Manager of Regulatory Policy for Sprint/United Management Co. ("Sprint"). I filed a Declaration in this docket on February 12, 2001. My qualifications and experience are listed in that Declaration.
2. Purpose of my affidavit is to set forth Sprint's commitment and investments in developing and provisioning its ION product and to explain why it is one of Sprint's primary local market entry strategies. Sprint has demonstrated this commitment with the investment of substantial resources in its Competitive Local Exchange Company ("CLEC") operations. It has directly invested significant amounts in the development and provisioning of its Integrated On Demand Network (ION) which integrates several services into one. It is currently rolling out its 00- local dial-around product to leverage its existing network infrastructure into local markets. And it has pursued the voice resale

and UNE-P markets in other states. While the integrated market served by ION remains highly attractive to Sprint, its experience in the voice resale and UNE-P markets in several states has been uniformly disappointing.

3. ION is one of Sprint's primary local market entry strategies. ION is an innovative product using proprietary technology. It bundles voice and data over a single copper loop. These characteristics make it a viable, profitable product that provides a real customer benefit.
4. ION required significant levels of investment just to develop the technology underlying the product. Further outlays were necessary to facilitate billing and ordering of the product. Sprint's network had to be upgraded to enable it to provide ION. Additionally, Sprint requires use of incumbents' networks. That means Sprint must collocate in ILEC central offices (which also raises important issues about timely access to those central offices). In total, Sprint has invested approximately \$1.5B in ION to develop, market and upgrade its network. This displays a strong commitment by Sprint to facilities-based local market entry.
5. Sprint views ION as a service that will be differentiable from, and highly competitive with, services offered by the BOCs. But Sprint must rely heavily on the cooperation of Verizon and other RBOCs, in order to provide ION to its customers. Residential ION is provided over DSL technology using the incumbent's lines. As a result, Sprint needs efficient access to Verizon's

network in order to provide ION to residential and small business customers in Verizon's territory in Pennsylvania in a cost effective manner. Of course, DSL-capable loops need to be available, but also collocation space is necessary to provide the actual DSL service. In addition, OSS systems are crucial to the speedy delivery to ION to customers. These issues and more are important to Sprint's ability to enter the integrated services market before Sprint actually turns up service. Thus, an actual launching of ION (and the attendant market entry experience) should not be a prerequisite for consideration of Sprint's concerns. Sprint has obviously committed to integrated services local market entry via its extensive investment in ION.

6. Sprint has exited voice local markets in other states due to high and continuing losses. In other words, the existing economic fundamentals did not support a profitable business. And even when Sprint projected cost savings and efficiencies into the future, the voice-only market profit remained unprofitable. For example, Sprint recently calculated that each residential customer provided service via the UNE-P would cause more than \$150 in losses for Sprint over the life-cycle of that customer. As a result, Sprint has recently retreated from those voice markets.
7. Sprint entered the voice market in California, New York, Texas and Georgia on a resale basis. Sprint stopped accepting new customers soon after entry in

California and recently applied to exit the market there. Sprint also recently exited the New York, Texas and Georgia local resale markets.

8. While Sprint has not substantially participated in the Pennsylvania CLEC market, its experience in other states and its extensive knowledge of the Pennsylvania market make it clear to Sprint that the economics of resale and UNE-P are as unfavorable in Pennsylvania as elsewhere. Sprint does not need to actually enter the voice market and subsequently lose money in Pennsylvania to foresee an unfavorable result. It can simply extrapolate from its experience, which includes the Verizon-Bell Atlantic state of New York and the Verizon-GTE states of Texas and California.
9. 88 and 60. These are the number of days that it took Verizon New York and SBC Texas to equal the long distance market share of Sprint in those respective states after 271 authority was granted. At this point, each of those companies have doubled Sprint's market share. Of course, it took Sprint a decade and a half to garner its market share, while the RBOCs accomplished that feat in days. That's competition, so no complaints about that from Sprint. However, Sprint does strongly oppose premature 271 approval when the evidence shows that the carrier with the local subscriber is more likely to gain and retain long distance subscribers than vice versa.
10. Sprint intends to serve local markets as a CLEC, through ION and other means, and it is therefore an active advocate in Section 271. Regrettably,

cooperation from an RBOC is not likely to increase once it is granted interLATA authority. Although Sprint's local entry has not yet happened in Pennsylvania, the issues Sprint raises here are substantial and impact our ability to implement ION in Pennsylvania.

11. Sprint's other primary method of providing local service is to utilize Sprint's existing investment in its DMS-250 switches and transport. Sprint wants to leverage these existing investments to connect local callers. Sprint has been successful in negotiating such arrangements with other mega-RBOCs. However, Verizon has steadfastly refused to allow Sprint to allow local reciprocal compensation traffic to traverse Sprint's DMS-250 network. Sprint absolutely needs this ability to provide immediate ubiquitous local calling to a broad customer set.

12. Sprint has shown through its various local market entry initiatives that it has a strong and continued interest in the local market wherever service can be profitably provided. Profits are difficult to achieve if the RBOCs network is not fully and completely open to interconnection on economic and reasonable terms. Sprint has an obvious and real interest in the outcome of this docket in terms of its ability to enter the local market. The success of local market entry plans is in large measure contingent upon the terms by which Sprint can interconnect with Verizon.

I verify and aver that the foregoing is true and correct to the best of my
knowledge, information and belief, subject to the penalties of 18 Pa. C.S. § 4904.

David T. Rearden

Track A
Summary of Some Parties' Comments (February 12, 2001)

Party	Related Checklist Item	Issue raised Problems documented	Citation
A.R.C. Networks, Inc. t/a InfoHighway Communications Corporation	#14 Resale	Verizon's Actions Violate Section 251(C)(4) Of The Act.	Comments, p.8
A.R.C. Networks, Inc. t/a InfoHighway Communications Corporation	#14 Resale	BAND's initial refusal to provide new resold lines due to its operational shortcomings violated Section 251(c)(4)(A).	Comments, p.8
A.R.C. Networks, Inc. t/a InfoHighway Communications Corporation	#14 Resale	The conditions that BAND subsequently imposed upon new orders for resale DSL lines and for the continuation of existing accounts violated Section 251(c)(4)(B).	Comments, p.9
A.R.C. Networks, Inc. t/a InfoHighway Communications Corporation	#14 Resale	Verizon was requiring A.R.C. to purchase a hybrid Verizon voice/resale DSL product with the voice portion of the product being priced at non-wholesale rates.	Comments, p.9
A.R.C. Networks, Inc. t/a InfoHighway Communications Corporation	#14 Resale	The Merger Conditions Provide No Safe Harbor For Verizon.	Comments, p.11
A.R.C. Networks, Inc. t/a InfoHighway Communications Corporation	#14 Resale	Verizon claims the company is not required to resell advanced services at all.	Comments, p.11
A.R.C. Networks, Inc. t/a InfoHighway Communications Corporation	#14 Resale	The ASCENT decision makes clear that Verizon's failure to provision resold DSL service violates section 251(c)(4)'s requirements.	Comments, p.15
A.R.C. Networks, Inc. t/a InfoHighway Communications Corporation	#14 Resale	The Commission Must Condition Any Future Section 271 Grant For Verizon On Satisfaction Of Its Resale Obligations.	Comments, p.15

A.R.C. Networks, Inc. t/a InfoHighway Communications Corporation	#14 Resale	Consumers in Pennsylvania have been denied choices by Verizon's restrictions on resale of DSL service and by Verizon's refusal to provide for line splitting of loops leased to competitors in conjunction with a UNE-P arrangement.	Comments, p.16
A.R.C. Networks, Inc. t/a InfoHighway Communications Corporation	#14 Resale	Verizon places competing providers of voice and data services at a distinct competitive advantage by providing line sharing on loops over which it provides voice service.	Comments, p.16
AT&T Communications of Pennsylvania, Inc.		Perhaps the leading example is Verizon's continued fight against the requirement to structurally separate its retail and wholesale operations.	Comments, p.1
AT&T Communications of Pennsylvania, Inc.		nearly a decade ago Bell Atlantic (now Verizon) promised the General Assembly and this Commission that it would extend broadband services to every corner of its Pennsylvania service territory, such that by 1998 at least 20% of its residential customers in rural, suburban and urban territories would have access to broadband services and by year 2000 fully 100% of schools, libraries and health care facilities would have the same access. It was a promise Bell Atlantic never kept.	Comments, p.2
AT&T Communications of Pennsylvania, Inc.		Verizon is asking this Commission to endorse Verizon's 271 application on the promise that at some unspecified point in the future Verizon will meet its line sharing and line splitting obligations.	Comments, p.3
AT&T Communications of Pennsylvania, Inc.		Verizon refuses to recognize and comply with the Commission's Global Order Code of Conduct governing the relationship between Verizon's wholesale and retail divisions.	Comments, p.3

AT&T Communications of Pennsylvania, Inc.		Verizon refuses to implement the unbundled network element ("UNE") pricing principles established by the FCC, including the refusal to recognize or implement the Commission's UNE pricing decisions in the Global Order.	Comments, p.3
AT&T Communications of Pennsylvania, Inc.		Verizon has failed to implement the Commission ordered switch port rates approved in the Global Order.	Comments, p.4
AT&T Communications of Pennsylvania, Inc.		Verizon has failed to apply the Bell Atlantic/GTE Merger Commitment discount to the UNE loop rates established in the Global Order.	Comments, p.4
AT&T Communications of Pennsylvania, Inc.		Verizon refuses to unbundle its Digital Subscriber Line Access Multiplexers ("DSLAMs") as ordered by the Commission.	Comments, p.4
AT&T Communications of Pennsylvania, Inc.		Verizon is not providing access to its OSS at parity with what it provides its own retail operations. AT&T has experienced problems, and has received substandard service from Verizon, in almost every OSS domain.	Comments, p.4
Cavalier Telephone Mid-Atlantic, LLC	#1 Interconnection	Collocation – DC Power rates and rate application.	Comments, p.2
Cavalier Telephone Mid-Atlantic, LLC	#3 Poles, Ducts, conduits and rights-of-way	Attachment methods and timeline for make ready work.	Comments, p.3
Cavalier Telephone Mid-Atlantic, LLC	#5 Unbundled Local Transport	Access to local transport, failure to provide dark fiber as a UNE etc.	Comments, p.3
Conectiv Communications, Inc.	#1 Interconnection	Verizon Has Consistently Failed to Meet Scheduled Due Dates for Provision of Collocation Arrangements.	Comments, p.6

Conectiv Communications, Inc.	#1 Interconnection	Verizon has engaged In a consistent pattern of non-responsiveness, Delay and Misdirection.	Comments, p.10
Conectiv Communications, Inc.	#1 Interconnection	Verizon Has Engaged In Anti-Competitive Practices By Establishing A DC Power Rate Structure That Results In Substantial Overcharges To Collocated Carriers.	Comments, p.12
Covad Communications		Verizon failed to deliver connecting facility assignment ("CFA") information in a timely manner for the splitters that were to be placed in these offices. Without CFA information.	Joint Affidavit, p.20
Covad Communications		Verizon failed to follow the prescribed "scope of work" (i.e., the division of responsibility and the order of the work) in many cases.	Joint Affidavit, p.20
Covad Communications	#2 Unbundled Network Elements	Covad and other CLECs still do not have a commercially viable means to provide DSL services through Verizon's remote terminals	Joint Affidavit, p.30
Covad Communications	#1 Interconnection	Verizon inflates its collocation power charges through a rate structure that goes against industry practice, its own cost studies and even common	Joint Affidavit, p.41
CTSI, Inc.,	#8 White Pages	Verizon has continually failed to include or has included inaccurate directory listings for hundreds of CTSI customers, despite every reasonable effort on CTSI's part to ensure that Verizon received accurate information for CTSI's customers.	Comments, p.4
CTSI, Inc.,	#8 White Pages	It has been CTSI's experience that even if CTSI follows Verizon's procedures to the letter, Verizon still fails to provide complete, accurate listings for CTSI's customers.	Comments, p.5
CTSI, Inc.,	#8 White Pages	Contrary to the claims made by Verizon, CTSI typically gets only one opportunity to review and correct its customers' listing information before	Comments, p.6

		Verizon publishes the information in its directories.	
CTSI, Inc.,	#8 White Pages	Despite CTSI's efforts to ensure that Verizon has complete accurate information for CTSI's customers, Verizon has continually failed to include accurate listings for CTSI's customers.	Comments, p.6
CTSI, Inc.,	#8 White Pages	Verizon often refuses to acknowledge its errors or to take steps to address the problem.	Comments, p.9
FiberNet Telecommunications of Pennsylvania, LLC		The Post 271 Experience in New York Demonstrates that High Volume Testing of Verizon's OSS is Essential Prior to Approval of Verizon PA's Application.	Comments, p.5
FiberNet Telecommunications of Pennsylvania, LLC		Verizon PA Should Not Be Allowed To Circumvent The Requirements Of The Commission's Global Order Decision.	Comments, p.7
FiberNet Telecommunications of Pennsylvania, LLC		The Time To Ensure Compliance With The Requirements of The TA96 Is Before Verizon PA Obtains Section 271 Authority, Not Afterward.	Comments, p.9
PennTel Com		Verizon Does Not Meet Those Checklist Items That Require It To Provide Interconnection on A Nondiscriminatory Basis.	Comments, p.4
PennTel Com		Verizon Continues to Act in a Discriminatory and Anticompetitive Manner Despite the Performance Assurance Plan.	Comments, p.6
Rhythms Links, Inc.		Has not completed CO wiring work necessary to enable Rhythms to implement line sharing in PA.	Comments, p.6
Rhythms Links, Inc.	#4 Unbundled Local Loops	Reporting xDSL Performance based on improper metrics. Service not at parity with what VZ provides to itself.	Comments p.10
Rhythms Links, Inc.		xDSL plug and play.	Comments, p.14
Winstar Wireless of Pennsylvania, LLC	#1 Interconnection	Trunking – provisioning.	Comments, p.4
Winstar Wireless of Pennsylvania, LLC	#1 Interconnection	Trunking - maintenance and repair.	Comments, p.8